

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-12253-MLW

STEVEN McDERMOTT and
STACEY McDERMOTT,

Plaintiffs

v.

FEDEX GROUND PACKAGE SYSTEMS, INC.,
T.S. PRUITT, ALLEGIANCE HEALTHCARE,
INC., D. PONCE, E.W. WYLIE CORPORATION,
D.W. SMITH ARSENBURGER TRUCKING, INC.,
J.T. FOSBRINK, RYDER TRUCK RENTAL,
LORRAINE ODZANA as ADMINISTRATRIX OF
THE ESTATE OF JAMES J. ODZANA,
SHORELINE TRANSPORTATION, INC., JACYLYN
PALETTA as ADMINISTRATRIX OF THE
ESTATE OF MARIO J. CASTRO,

Defendants

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

The undersigned counsel and party hereby affirm that counsel and client have conferred (a) with a view to establish a budget for the costs of conducting the full course – and various alternative courses – of this litigation, and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

On behalf of the Defendant,

/s/ C. Robert Elicker

C. Robert Elicker
Litigation Specialist
The PMA Insurance Group
P.O. Box 25250
Lehigh Valley, PA 18002

The Defendant,
LORRAINE ODZANA, as
Administratrix of the Estate of
JAMES J. ODZANA
By her attorneys,

/s/Michele Carlucci

Maynard M. Kirpalani, BBO 273940
Michele Carlucci, BBO #655211
WILSON ELSER MOSKOWITZ

EDELMAN & DICKER LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300

Dated: June 19, 2007

CERTIFICATE OF SERVICE

I, Michele Carlucci, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the NEF on June 19, 2007.

/s/ Michele Carlucci